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Attorneys for Defendant
Facebook, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SIX4THREE, LLC,

Plaintiff,

V.

FACEBOOK, INC.,

Defendant.

Case No. 3:17-cv-00359-WHA

**DEFENDANT FACEBOOK, INC.'S NOTICE
OF WITHDRAWAL OF OPPOSITION TO
PLAINTIFF SIX4THREE, LLC'S MOTION
TO REMAND**

Date: February 16, 2017

Time: 8:00 a.m.

Ctrm: 8, 19th Floor

Judge: Honorable William Alsup

1 On February 14, 2017, the Court issued an Order Granting Request to File a Surreply and
2 Requesting Response from Plaintiff (“Order”), stating:

3 . . . [B]y **FEBRUARY 15 AT 2:00 P.M.**, plaintiff shall state unequivocally
4 whether it will rely in any way on any federal law to support its claims
5 herein. The response must be either “yes” or “no.” If the answer is “no,”
plaintiff will be bound to that answer and on remand may not rely on any
federal law.

6 ECF No. 28 at 2;

7 On February 14, 2017, Plaintiff Six4Three, LLC (“Six4Three”) filed its Response to Order
8 Granting Request to File a Surreply and Requesting Response from Plaintiff (“Response”), stating:

9 Plaintiff Six4Three, LLC hereby responds to Judge Alsup’s Order
10 Granting Request to File a Surreply and Requesting Response from
Plaintiff (#28) as follows: No.

11 ECF No. 29 at 1;

12 In reliance on Six4Three’s confirmation that it will not “rely in any way on any federal law to
13 support its claims” and is “bound to that answer and on remand may not rely on any federal law,” ECF
14 No. 28 at 2, Defendant Facebook, Inc. (“Facebook”) hereby withdraws its Opposition to Six4Three’s
15 Motion to Remand, ECF No. 20, filed February 6, 2017 (“Opposition”). Facebook respectfully requests
16 that the Court enter an order remanding the case based on the above. A proposed order is submitted
17 herewith.

18
19 Dated: February 15, 2017

DURIE TANGRI LLP

20 By: _____ /s/ Sonal N. Mehta
21 SONAL N. MEHTA

22 Attorneys for Defendant
23 Facebook, Inc.
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CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2017 the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing to the attorneys of record in this case.

/s/ Sonal N. Mehta

SONAL N. MEHTA